

CHAPTER 205.

[S. B. 161.]

RELATING TO JURY TRIALS.

AN Act amending section 1 of an act entitled, "An act relating to jury trials in the superior court, providing for the payment by litigants of certain jury fees and repealing section 5028 of Ballinger's Codes and Statutes of the State of Washington," being chapter 43 of the Session Laws of 1903.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 1 of an act entitled, "An act relating to jury trials in the superior court, providing for the payment by litigants of certain jury fees and repealing section 5028 of Ballinger's Annotated Codes and Statutes of the State of Washington," being chapter 43 of the Session Laws of 1903, be amended to read as follows: Section 1. In all civil actions triable by a jury in the superior court any party to the action may, at or prior to the time the case is called to be set for trial, serve upon the opposite party or his attorney, and file with the clerk of the court a statement of himself, or attorney, that he elects to have such case tried by jury. At the time of filing such statement such party shall also deposit with the clerk of the court \$12.00, which deposit, in the event that the case is settled out of court prior to the time that such case is called to be heard upon trial, shall be returned to such party by such clerk. Unless such statement is filed and such deposit made, the parties shall be deemed to have waived trial by jury, and consented to a trial by the court: *Provided*, That, in the superior courts of counties of the first class such parties shall serve and file such statement, in manner herein provided, at any time not later than two days before the time the case is called to be set for trial.

[Am'd. § 1,
ch. 43, p. 50,
L. '03;
§ 1519h,
Pierce.]

Demand for
jury.

Jury fee.

Passed by the Senate February 2, 1909.

Passed by the House March 5, 1909.

Approved March 18, 1909.